BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: 7/20/05 - KW	Division: CountyAttorney's Office
Bulk Item: Yes X No	Department: County Attorney's Office
	Staff Contact Person: Suzanne Hutton
abandonment of a portion of Coxon Lane Tur	place for a public hearing concerning the proposed n-around, according to the plat of Cutthroat Harbor of the Public Records of Monroe County, Florida (Cudjoe
ITEM BACKGROUND: Petition has been reviewed and approved by P	lanning, Engineering and Fire Marshall.
PREVIOUS RELEVANT BOCC ACTION	:
CONTRACT/AGREEMENT CHANGES:	
STAFF RECOMMENDATIONS: Adoption of Resolution setting one public hea Marathon, Florida.	ring for 3:00 p.m. on SEPTEMBER 21, 2005 in
TOTAL COST: Petitioner Pays	BUDGETED: Yes No
COST TO COUNTY: N/A	SOURCE OF FUNDS:
REVENUE PRODUCING: Yes No	AMOUNT PER MONTH Year
APPROVED BY: County Atty ON	MB/Purchasing Risk Management
DIVISION DIRECTOR APPROVAL:	JOHN R. COLLINS, COUNTY ATTORNEY
DOCUMENTATION: Included	Not Required
DISPOSITION:	AGENDA ITEM #

RESOLUTION NO.

A RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING CONCERNING THE PROPOSED ABANDONMENT OF A PORTION OF COXON LANE TURN-AROUND, ACCORDING TO THE PLAT OF CUTTHROAT HARBOR ESTATES FIRST ADDITION, PLAT BOOK 5, PAGE 60, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (CUDJOE KEY).

-2005

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways, and

WHEREAS, under Chapter 336, Florida Statutes, it is necessary to hold a public hearing after publishing due notice of said hearing in accordance with said Chapter, now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that the Board will hold a public hearing on September 21, 2005 at 3:00 P.M. at the Marathon Government Center, 2798 Overseas Highway, Mile Marker 47.5, Marathon, Florida, to determine whether or not the Board will renounce and disclaim any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

"Being a portion of Coxon Lane Turn-around, according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, Page 60, of the Public Records of Monroe County, Florida, and described as follows; COMMENCE AT THE Northeast corner of Lot 8, Block 9 and run S60°W, 35 feet and the POINT OF BEGINNING of the hereinafter described parcel of road right-of-way of aforementioned Coxon Lane; thence continue S60°W, 62.50 feet; thence S30°E, 25 feet; thence N60°E, 47.50 feet; to a point of radius curve; thence by a curve concave to the South, having a radius of 25 feet, an arc length of 16.09 feet, a chord bearing N78 26'03"E, 15.81 feet; thence N30°W, 30 feet back to the POINT OF BEGINNING. Contains 1,586.5 square feet +-."

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board held on the 20th day of July, 2005.

Mayor Dixie M. Spehar
Mayor Pro Tem Charles "Sonny" McCoy
Commissioner Murray Nelson
Commissioner George Neugent
Commissioner David Rice

(SEAL)

BOARD OF COUNTY COMMISSIONERS
ATTEST: DANNY L. KOLHAGE, CLERK

BOARD OF COUNTY, FLORIDA

By
Deputy Clerk

Mayor Dixie M. Speharoe County ATTORNEY
APPROVED AS TO FORMY

(KMP: 7.20.05 RAP:Coxon Lane)





BOARD OF COUNTY COMMISSIONERS Mayor Dixie M. Spehar, District 1 Mayor Pro Tem "Sonny" McCoy, District 3 Murray E. Nelson, District 5 George Neugent, District 2 David P. Rice, District 4

Office of the County Attorney 502 Whitehead Street, Rear Post Office Box 1026 Key West, F. 33041-1026 (305) 292-3470



MEMORANDUM

TO:

Marlene Conaway, Planning Director

Dave Koppel, County Engineer

FROM:

Kathy Peters, Paralegal/Administrative Liaison
County Attorney's Office

RE:

Road Abandonment Petition Review - Coxon Lane "T" Turnaround, Cudjoe Key

Receipt of Quit Claim Deed Documenting Unity of Title on all (4) lots

DATE:

June 3, 2005

Pursuant to the recommendation from the County Engineer on March 9, 2005 and from Planning dated March 30, 2005, (copies of which are attached hereto), enclosed please find a Quit Claim Deed received today by this office from the Petitioner documenting unity of title by registering all four (4) lots to the Petitioner.

Please review the enclosed documentation and provide your written findings and recommendation in consideration of the Quit Claim Deed received at your earliest convenience. Please maintain a record of all time spent by yourself and your staff on this matter. Thank you.

KMP/

Enclosures (2)

cc: Larry S. Ledford and John R. Simanek

RECEIVED

JUN 2 1 2005

MONROE COUNTY ATTORNEY



OFFICE of FIRE MARSHAL 490 63rd Street Marathon, FL 33050 PHONE: (305) 289-6010 FAX: (305) 289-6013



BOARD OF COUNTY COMMISSIONERS

Mayor Dixie M. Spehar, District 1
Mayor Pro Tem Charles "Sonny" McCoy, District 3
George Neugent, District 2
David P. Rice, District 4
Murray E. Nelson, District 5



MEMORANDUM

To: Kathy Peters, County Attorney's Office

From: Steven M. Zavalney, Captain

Date: June 15, 2005

Re: Road Abandonment Petition Review - Coxon Lane "T" Turnaround, Cudjoe Key

The Fire Marshal's Office has again reviewed the above referenced proposed road abandonment, and has made a site survey reference this request. As indicated in a January 13, 2005 memo from Assistant Fire Marshal Romero, this partial road abandonment may be completed, but shall be limited to twenty-five (25) feet from the road's edge. This will, in effect, mirror the previously abandoned portion of the turnaround in front of Lots 6 and 7 of Block 9, Cutthroat Harbor Estates, Cudjoe Key.

If you are in need of any more information or further assistance, please call the office at the number above.

Cc: Clark O. Martin, Fire Chief

RECEIVED

JUN 17 2005

MONROE COUNTY ATTORNEY

Peters-Katherine

From: Stankiewicz-Tiffany

Sent: Wednesday, June 15, 2005 4:16 PM

To: Peters-Katherine; Hutton-Suzanne

Subject: FW: Coxon Lane Road Abandonment

----Original Message----From: Conaway-Marlene

Sent: Wednesday, June 15, 2005 4:11 PM

To: Stankiewicz-Tiffany

Subject: RE: Coxon Lane Road Abandonment

OK

----Original Message----From: Stankiewicz-Tiffany

Sent: Wednesday, June 15, 2005 3:39 PM

To: Conaway-Marlene

Subject: Coxon Lane Road Abandonment

The County Attorneys office sent me copies of quitclaim deeds showing Lots 8, 10, & 11, Block 9 Cutthroat Harbor Estates 1st Addition, Cudjoe Key now has the ownership under Larry Ledford & John Simanek.

Lot 9, Block 9 is already shown to be in Larry Ledford & John Simanek names.

Now that all lots are shown in common ownership are recommendation in the Road Abandonment Report is met. I will update Kathy Peters, Paralegal in the County Attorneys Office.

Tiffany





BOARD OF COUNTY COMMISSIONERS
Mayor Dixie M. Spehar, District 1
Mayor Pro Tem "Sonny" McCoy, District 3
Murray E. Nelson, District 5
George Neugent, District 2
David P. Rice, District 4

Office of the County Attorney 502 Whitehead Street, Rear Fost Office Box 1026 Key West, FL 33041-1026 (305) 292-3470



MEMORANDUM

TO:

Marlene Conaway, Planning Director

Dave Koppel, County Engineer

Clark Martin, Fire Chief

FROM:

Kathy Peters, Paralegal/Administrative Liaison

County Attorney's Office

RE:

Road Abandonment Petition Review - Coxon Lane "T" Turnaround, Cudjoe Key

Receipt of Quit Claim Deed Documenting Unity of Title on all (4) lots

DATE:

June 3, 2005

Pursuant to the recommendation from the County Engineer on March 9, 2005 and from Planning dated March 30, 2005, (copies of which are attached hereto), enclosed please find a Quit Claim Deed received today by this office from the Petitioner documenting unity of title by registering all four (4) lots to the Petitioner.

Please review the enclosed documentation and provide your written findings and recommendation in consideration of the Quit Claim Deed received at your earliest convenience. Please maintain a record of all time spent by yourself and your staff on this matter. Thank you.

KMP/

Enclosures (2)

cc: Larry S. Ledford and John R. Simanek





Mayor Dixie M. Spenar, District 1
Mayor Pro Tem "Sonny" McCoy, District 3
Murray E. Nelson, District 5
George Neugent, District 2
David P. Rice, District 4

Office of the County Attorney 502 Whitehead Street, Rear Post Office Box 1026 Key West, FL 33041-1026 (305) 292-3470



June 3, 2005

Mr. Larry Ledford and John R. Simanek 1040 Coxon Lane Cudjoe Key, FL 33042

> Re: Road Abandonment Petition - Coxon Lane "T" Turnaround, Cudjoe Key Quit Claim Deed - Unity of Title documentation on all (4) lots

Dear Mr. Ledford and Mr. Simanek:

Just a note to confirm our receipt of the Quit Claim Deed documenting unity of title on all (4) lots as recommended by the Planning Department in the above-referenced Road Abandonment Petition. The Quit Claim Deed, along with your cover letter, has been forwarded to the County Engineer, Fire Marshall and Planning for their review and approval. Once approval has been received by staff, the matter will placed before the Board of County Commissioners at the next regularly scheduled meeting to obtain approval to set and advertise the required location-specific (Middle Keys) public hearing. We will advise you when approval has been obtained from all three Departments by this office and is being placed before the Commission.

Should you have questions or concerns regarding this matter, please feel free to contact either Ms. Hutton or myself by phoning (305) 292-3470.

Sincerely.

Kathy Peters

Paralegal/Administrative Liaison

SHkmp:

cc: File

TO: Suzanne Hutton, Assistant County Attorney FROM: Larry S. Ledford and John R. Simanek

DATE: June 1, 2005

RE: Road Abandonment Petition: Coxon Lane "T" Turnaround, Cudjoe Key: Memorandum from Tiffany Stankiewicz, March 30, 2005

Pursuant to the "conclusion" provision of the memorandum that Lots 8 through 11, Block 9 be combined into common ownership, I am enclosing a copy of the Quit Claim Deed as evidence that Lot 8 has now been registered in both our names, making all four lots now registered to both of us.

Please advise me of the next step (if any) that I need to take to so that "Approval" can be finalized.

You may fax the information to us at: (732) 869-9829, or send it via email at: LSLCritic@aol.com.

Thank you for your prompt attention to this matter; it has been over a year in the works and we are naturally anxious to have it completed.

RECEIVED

JUN 03 2005

MONROE COUNTY ATTORNEY

Doc# 1513610 05/04/2005 11:10AM Filed & Recorded in Official Records of MONROE COUNTY DANNY L. KOLHAGE

DEED DOC STAMP CL: FP

\$0.70

This Instrument Prepared By and Return to:

Larry Ledford 1006 Fifth Avenue Asbury Park, NJ 07712

QUITCLAIM DEED

Doc# 1513610 Bk# 2110 Pg# 772

	1006 Sts Ave. Asbury PK. NT and 1040 Coxon Lane Cadjae Grantee.	and idress is	
	Witnesseth; that the Grantor, for and in consideration of the sum of	ceipt of which irs and assigns	
	Lot 8, Block 9, Cuthhoat Harbor Estates, Cudjoe Kcy (Parcel I.D. # 00185100)		
	To Have and to Hold the same together with all and singular the appurenances thereunto belonging appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, equity, for the use, benefit and profit of the said Grantee forever.	or in anywise other in law or	
	In Witness Whereof, the Grantor has hereunto set he/she hand and seal the day and year first above w	ritten.	
	Signed, scaled and delivered in our presence:		
	Witness #1 Signature Lekia S. Diel John R. Simanek	new	
	Dekla Dill (
_	Winese #2 Signature Dungle Lengt Legland and	inch	
	Reuben De Amelda Larry S. Ledford Witness #2 Printed Name John R. Simanek		
	COUNTY OF MONYOUTA		
LATTY LEGFORD	The foregoing instrument was acknowledged before me this 21 day of APCIL JOHAL R SIMANEX who is personally known to me or who h N. TORNER LIC as identification.	2005, by	
7	FLORIBA Drivers Lic		
1000	Slessia a Ku	edan	and the second s
3.2	Notary Signature	1	
巨连山	Printed No taxy Signature	<u>en</u>	
The Common of th	My Continuesion Expires: 01/09/06		
W. Chap	AND		

MONROE COUNTY OFFICIAL RECORDS





Mayor Dixie M. Spehar, District 1
Mayor Pro Tem Murray E. Nelson, District 5
George Neugent, District 2
Charles "Sonny" McCoy, District 3
David P. Rice, District 4

5/18/05 Kend call from ledford too filed my paperwork inquesting writing of title of courty awarting decision -

County Attorney's Office P. O. Box 1026 Key West, FL 33040 Phone: (305) 292-3470 Fax: (305) 292-3516



May 4, 2005

Mr. Larry Ledford and John R. Simanek 1040 Coxon Lane Cudjoe Key, FL 33042

Re: Road Abandonment Petition - Coxon Lane "T" turnaround, Cudjoe Key

Dear Mr. Ledford and Mr. Simanek:

Just a note to follow-up on our April 6, 2004 letter to you advising of conditional approval by the Planning Department pending receipt of official documentation by this office confirming unity of title has been accomplished. The Petition process cannot proceed until this documentation is received, reviewed and approved by Assistant County Attorney Suzanne Hutton, the County Engineer, Fire Marshal and Planning.

Should you have any questions or concerns, please don't hesitate to contact us.

Sincerely.

Kathy M. Peters

Paralegal/Administrative Liaison

KMP:

Enclosures

cc: Suzanne Hutton, Assistant County Attorney





BOARD OF COUNTY COMMISSIONERS

Mayor Dixie M. Spehar, District 1
Mayor Pro Tem Murray E. Nelson, District 5
George Neugent, District 2
Charles "Sonny" McCoy, District 3
David P. Rice, District 4

County Attorney's Office P. O. Box 1026 Key West, FL 33040 Phone: (305) 292-3470 Fax: (305) 292-3516



April 6, 2005

Mr. Larry Ledford and John R. Simanek 1040 Coxon Lane Cudjoe Key, FL 33042

Re: Road Abandonment Petition - Coxon Lane "T" turnaround, Cudjoe Key

Dear Mr. Ledford:

Enclosed please find the Memorandum received by this office from Planning dated March 30, 2005 approving the abandonment conditional upon unity of title on the affected lots. Once official documentation is received by this office confirming unity of title has been accomplished, the Petition process can proceed.

The next available BOCC meeting date to present for approval to advertise and setting the public hearing will be May 18, 2005; scheduling the public hearing for the next BOCC meeting on June 15, 2005 which will be held in Marathon. Please keep in mind that the deadline for submission of agenda items for the May 18th meeting is May 3rd and time must be allowed for review of the unity of title documentation by Suzanne Hutton, Assistant County Attorney, and also by Planning, the County Engineer and the Fire Marshall, in addition to preparation of the appropriate agenda materials.

Should you have any questions or concerns, please don't hesitate to contact us.

Sincerely,

Kathy M. Peters Paralegal/Administrative Liaison

KMP:

Enclosures

cc: Suzanne Hutton, Assistant County Attorney

4/4/05

MEMORANDUM

TO:

Suzanne Hutton, Assistant County Attorney

THROUGH: K. Marlene Conaway, Director of Planning.

FROM:

Tiffany Stankiewicz, Sr. Planning Technician

DATE:

March 30, 2005

Subject:

Request from Larry S. Ledford and John R. Simanek for a Road

Abandonment Petition of Coxon Lane "T" turnaround, Cudjoe Key

Larry S. Ledford and John R. Simanek requested the abandonment of "T" turnaround on Coxon Lane adjacent to Lots 8, 9, & 10, Block 9, Cutthroat Harbor Estates 1st Addition, Cudjoe Key.

Part Lot 8, Block 9, Cutthroat Harbor Estates 1st Addition is owned by John Simanket; Lots 9 & 10, Block 9 Cutthroat Harbor Estates 1st Addition are owned by Larry Ledford and John Simanek; these properties are zoned Improved Subdivision (IS).

Roadway Description

The portion of the roadbed which is the subject of the request for abandonment is shown as Coxon Lane in Plat Book 5, Page 60 of the Public Records of Monroe County.

Use of the Road

There is no current use of this portion of the road.

Development Potential

There is no development potential for the property.

Shoreline Access

The portion of road being proposed for abandonment does not terminate on open water.

RECEIVED

APR 04 20115

Staff Review

A review of the records and an on site inspection of the property revealed the following:

- 1. The original platted roadbed is paved and striped.
- The occupants of the adjoining parcels of property have submitted letters to the applicant stating that they have no objections to the abandonment.
- The applicants have received letters of concurrency from the Florida Keys Aqueduct Authority, BellSouth, the Keys Energy Services and Comcast Cable of Keys. No easements are anticipated in the proposed abandonment area from any utility.
- The applicants have stated that the roadbed proposed for abandonment serves no other property owner.
- 5. Larry Ledford and John R. Simanek have requested the abandonment of a "T" turnaround on Coxon Lane adjacent to Lots 8, 9, & 10, Block 9, Cutthroat Harbor Estates 1st Addition. Lot 10 has an accessory use (pool) and Lots 8 and 9 are vacant. These lots are not under one common ownership and John R. Simanek does not owner Lot 8 in its entirety. A portion of Lot 8 is under the ownership of Dyne Vaughn Trustee.
- Larry Ledford owns a single-family residence on Lot 11 and based on the Monroe County Property Record Card is the sole owner of Lot 11.

Conclusion

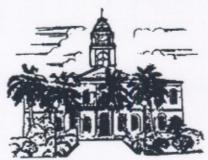
Staff recommends <u>APPROVAL</u> of the request by Larry S. Ledford and John R. Simanek for the "T" turnaround road abandonment provided:

Combine Lots 8 through 11, Block 9, Cutthroat Harbor Estates 1st
 Addition into common ownership so that the road proposed for
 abandonment serves only the applicant. Therefore if the lots are
 combined into common ownership then request for abandonment
 will meet the requirements as outlined in the Monroe County Code
 Section 16-1.

- The road does not terminate on a body of water, and is consistent with goal 213 of the Monroe County Year 2010 Comprehensive Plan.
- Based on the application and supporting documentation, the abandonment will not impair the distribution of utilities in the neighboring area.

cc: Beth LaFleur, Lower Keys Island Planning Team Director





Mayor Dixie M. Spehar, District 1
Mayor Pro Tem Murray E. Nelson, District 5
George Neuropt. District 2

George Neugent, District 2 Charles "Sonny" McCoy, District 3 David P. Rice, District 4

Office of the County Attorney 502 Whitehead Street, Rear Fost Office Box 1026 Key West, FL 33041-1026



MEMORANDUM

TO:

MARLENE CONAWAY, PLANNING DIRECTOR

FROM:

KATHY PETERS FOR: SUZANNE HUTTON

ASSISTANT COUNTY ATTORNEY

RE:

STATUS OF REVIEW AND RECOMMENDATION RE:

ROAD ABANDONMENT PETITION: COXON LANE "T" TURNAROUND,

CUDJOE KEY

DATE:

MARCH 21, 2005

A review of our file indicates we have not yet received your findings and recommendation regarding the above-referenced Road Abandonment Petition. We have also provided you with a copy of the revised survey and legal description and notification from the Petitioner as to the recommended unity of title. To date, we have received notification recommending approval from both the Fire Marshall and the County Engineer and are awaiting your response to proceed.

Please provide your findings and recommendation as to this Petition as soon as possible. If we have overlooked receipt of your documentation, we would request you forward a copy of your recommendation for our file. Thank you for your support and cooperation in this matter.

KMP:

Enclosures

cc: Larry Ledford and/or John R. Simanek, Petitioner(s)





Mayor Dixie M. Spehar, District 1
Mayor Pro Tem Murray E. Nelson, District 5
George Neugent, District 2
Charles "Sonny" McCoy, District 3
David P. Rice, District 4

Office of the County Attorney 502 Whitehead Street, Rear Foot Office Box 1026 Key West, FL 33041-1026



MEMORANDUM

TO:

Marlene Conaway, Planning Director

Dave Koppel, County Engineer

Clark Martin, Fire Chief

FROM:

Kathy M. Peters, Paralegal/Administrative Liaison for:

Suzanne Hutton, Assistant County Attorney

RE:

Road Abandonment Petition - Coxon Lane "T" Turnaround, Cudjoe Key

DATE:

March 17, 2005

For your information and records, enclosed please find correspondence received by this office from the Petitioner(s) accepting the recommendation of County Engineer Dave Koppel suggesting a unity of title on the affected lots to prevent their being sold separately at a later date.

Should you have specific questions or concerns regarding this Petition, please contact Assistant County Attorney Suzanne Hutton directly by phoning (305) 292-3473.

KMP/

Enclosure

cc: Larry S. Ledford John R. Simanek File

TO: Kathy Peters, County Attorney's Office FAX: (305) 292-3516

FROM: Larry S. Ledford DATE: March 16, 2005

RE: Road Abandonment Petition - Coxon lane "T" Turnaround, Cudjoe Key

In response to your letter of March 11, 2005, please be advised that we will accept the recommendation of County Engineer David S. Koppel, suggesting a untity of title on the affected lots to prevent their being sold separately at a later date. It has always been our intention to retain the lots as a single unit.

Again thanks for your prompt attention to this petition.

Larry S. Ledford

sinceral. and

MAR 17 2005

MONROE COUNTY ATTORNEY





BOARD OF COUNTY COMMISSIONERS Mayor Dixie M. Spehar, District 1 Mayor Pro Tem Murray E. Nelson, District 5 George Neugent, District 2

Charles "Sonny" McCoy, District 3 David P. Rice, District 4

County Attorney's Office P. O. Box 1026 Key West, FL 33040 Phone: (305) 292-3470 Fax: (305) 292-3516



March 11, 2005

Mr. Larry Ledford 1040 Coxon Lane Cudjoe Key, FL 33042

Re: Road Abandonment Petition - Coxon Lane "T" turnaround, Cudjoe Key

Dear Mr. Ledford:

Enclosed please find a copy of the findings and recommendations of County Engineer David S. Koppel suggesting a unity of title on the affected lots to prevent the lots from being sold separately at a later date. Please advise if you are willing to comply with the County Engineer's recommendation on this issue.

Additionally, by copy of this letter we are forwarding your revised survey and legal description in continuation of your Road Abandonment Petition to the Planning Director, County Engineer and Fire Chief for their review and recommendation. Should you have any questions or concerns, please don't hesitate to contact us by phoning (305) 292-3470.

Sincerely,

Kathy M. Peters Paralegal/Administrative Liaison

KMP:

Enclosure

cc: Marlene Conaway, Planning Director Dave Koppel., County Engineer Clark Martin, Fire Chief File _

MEMORANDUM

To:

Jan Hotalen

County Attorneys Office

FROM:

David S. Koppel

County Engineer

DATE:

March 9, 2005

RE:

Road Abandonment Petition Coxon Lane "T" Turnaround

Cutthroat Harbor Estates, Cudjoe Key

The above-referenced petition has been reviewed and approved by this department. Since one of the lots owned by the applicant will no longer have direct access to the public road, we suggest that the lots be combined to prevent the lots from being sold separately at a later date. Please call if you have any questions.

RECEIVED

MAR 1 0 2005

MONROE COUNTY ATTORNEY

DSK/jl CoxonLnRdAbandonmentCudjoe.DOC TO: Jan Hotalen

FROM: Larry S. Ledford

DATE: 3/4/05

RE: Revised Road Abandonment Survey

Rud. 3/7/XM

As per our recent conversation and your memo of 2/3/05 (enclosed) I am submitting a revised survey and legal description for continuation of the road abandonment petition for the Coxon Lane "T" turnaround at Block 9, Lots 8,9,10 on Cudjoe Key.

I have also enclosed a copy of the January 13, 2005 memo from Assistant Fire Marshal, Arthur "Wally" Romero. A representative of the Fire Marshal's Office has subsequently visited the site in question and the revised survey/legal description is in compliance with the limit-of-abandonment of 25' from the edge of the road.

Thank you for your prompt attention to this matter. If it can be presented at the March meeting of the Board of County Commissioners I would greatly appreciate it, as I will be out of state for some time after April 1st.

Sincerely,

Larry S. Ledford



Office of the County Attorney PO Box 1026 Key West, FL 33041-1026 305/292-3470 - Phone 305/292-3516 - Fax



BOARD OF COUNTY COMMISSIONERS
Mayor Dixie Spehar, District 1
Mayor Pro Tem Charles McCoy, District 3
Commissioner Murray Nelson, District 5
Commissioner George Neugent, District 2
Commissioner David Rice, District 4



February 3, 2005

Larry Ledford 1040 Coxon Lane Cudjoe Key, FL 33042

RE: Petition for road abandonment

Dear Mr. Ledford:

Enclosed is a copy of a memorandum which I received from the Assistant Fire Marshal, recommending that the area be abandoned shall be limited to 25 feet from the road's edge. If you wish to continue with the abandonment of this smaller area, a revised survey and legal description will be needed.

If you have any questions, please feel free to call.

Sincerely,

JAN HOTALEN

Paralegal

Enclosures



OFFICE of FIRE MARSHAL 490 63rd Street Marathon, FL 33050 PHONE: (305) 289-6010 FAX: (305) 289-6013



BOARD OF COUNTY COMMISSIONERS

Mayor Dixle M. Spehar, District 1
Mayor Pro Tem Charles "Sonny" McCoy, District 3
George Neugent, District 2
David P. Rice, District 4
Murray E. Nelson, District 5

INTEROFFICE MEMORANDUM

DATE:

January 13, 2005

TO:

cc:

Suzanne A. Hutton, Assistant County Attorney

FROM:

Arthur "Wally" Romero, Assistant Fire Marshall

SUBJECT:

ROAD ABANDONMENT INSPECTION:

(Coxon Lane "T" turnaround, Cudjoe Key)

The Monroe County Fire Marshal's Office has reviewed the above referenced proposed road abandonment. The approved road abandonment shall be limited to twenty-five (25) feet from the road's edge. This is the same portion that was granted for the Vaughn's request which was approved by the Board of County Commissioners on June 9, 1999. The Fire Marshal's Office suggest that the Monroe County Sheriff's Office be contacted to secure the property from trespassers.

If the Fire Marshal's Office can be of any additional assistance in this matter, please contact our office.

Chief Clark O. Martin, Monroe County Fire Rescue

RECEIVED

IJAN 1 4 2005

MONROE COUNTY ATTORNE

THIS IS NOT A BOUNDARY SURVEY.....SKETCH OF LAND DESCRIPTION ONLY.

Prepared For: LARRY LEDFORD & JOHN SIMANEK

Date: 3-2-05

Job Number: 03054

DESCRIPTION:

Requested Road Abandonment:

Being a portion of Coxon Lane Turn-around, according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, Page 60, of the Public Records of Monroe County, Florida, and described as follows; COMMENCE at the Northeast corner of Lot 8, Block 9, and run S60°W, 35 feet and the POINT OF BEGINNING of the hereinafter described parcel of road right-of-way of aforementioned Coxon Lane; thence continue S60°W, 62.50 feet; thence S30°E, 25 feet; thence N60°E, 47.50 feet; to a point of radius curve; thence by a curve concave to the South, having a radius of 25 feet, an arc length of 16.09 feet, a chord bearing N78 26' 03"E, 15.81 feet; thence N30°W, 30 feet back to the POINT OF BEGINNING.
Contains 1,586.5 square feet +-.

COKON LN .- 50 R/W 5'X 20' EASEMENT. LOT B BLOCK 9 0 35 - BOGE OF PAVEMENT LOT & OWNED BY APPLICANT 80 130W CURVE DATA OF CADIUS = 25 ARC : 16.09' CHORD - 15.81' BEARING N 78"26'03" OF BEGINNING 14.09 8 8 LOT 10 OWNED BY APPLICANT 0 ٢ 0 4 3 600 Ш 9 LOT 9 5 OWNED BY APPLICANT Z ARAA 530°E 25 ASAMALY ALL BLOCK 9 CANAL

I HEREBY CERTIFY THAT THIS SKETCH OF LAND DESCRIPTION MEETS THE REQUIREMENTS OF FLORIDA STATUTES.

Harold L. Overbeck, PLS No. 2912

Big Pine Key, Florida 33043 305-872-4763 fax 872-7146

Harold L. Overbeck, PLS 1620 Buttonwood Dr.





Mayor Dixie M. Spehar, District 1
Mayor Pro Tem Murray E. Nelson, District 5
George Neugent, District 2

Charles "Sonny" McCoy, District 3 David P. Rice, District 4

County Attorney's Office P. O. Box 1026 Key West, FL 33040 Phone: (305) 292-3470 Fax: (305) 292-3516



March 4, 2005

Mr. Larry Ledford 1040 Coxon Lane Cudjoe Key, FL 33042

Re: Road Abandonment Petition - Coxon Lane "T" turnaround, Cudjoe Key

Dear Mr. Ledford:

It is my understanding that you desire to proceed in light of the recommendation of the Assistant Fire Marshal that the area to be abandoned be limited to 25 feet from the road's edge. Therefore, we will need a new survey reflecting the smaller area in compliance with the recommendation of the Assistant Fire Marshal to proceed.

Should you have any questions or concerns or if you do not desire to proceed as recommended, please don't hesitate to contact us.

Sincerely,

Kathy M. Peters

Paralegal/Administrative Liaison

KMP:

Enclosures

cc: Suzanne Hutton, Assistant County Attorney



Office of the County Attorney PO Box 1026 Key West, FL 33041-1026 305/292-3470 - Phone 305/292-3516 - Fax



BOARD OF COUNTY COMMISSIONERS
Mayor Dixie Spehar, District 1
Mayor Pro Tem Charles McCoy, District 3
Commissioner Murray Nelson, District 5
Commissioner George Neugent, District 2
Commissioner David Rice, District 4



February 3, 2005

Larry Ledford 1040 Coxon Lane Cudjoe Key, FL 33042

RE: Petition for road abandonment

Dear Mr. Ledford:

Enclosed is a copy of a memorandum which I received from the Assistant Fire Marshal, recommending that the area be abandoned shall be limited to 25 feet from the road's edge. If you wish to continue with the abandonment of this smaller area, a revised survey and legal description will be needed.

If you have any questions, please feel free to call.

Sincerely,

JAN HOTALEN

Paralegal

Enclosures



OFFICE of FIRE MARSHAL 490 63rd Street Marathon, FL 33050 PHONE: (305) 289-6010 FAX: (305) 289-6013



S THE A

BOARD OF COUNTY COMMISSIONERS

Mayor Dixle M. Spehar, District 1
Mayor Pro Tem Charles "Sonny" McCoy, District 3
George Neugent, District 2
David P. Rice, District 4
Murray E. Nelson, District 5

INTEROFFICE MEMORANDUM

DATE:

January 13, 2005

TO:

cc:

Suzanne A. Hutton, Assistant County Attorney

FROM:

Arthur "Wally" Romero, Assistant Fire Marshal

SUBJECT:

ROAD ABANDONMENT INSPECTION:

(Coxon Lane "T" turnaround, Cudjoe Key)

The Monroe County Fire Marshal's Office has reviewed the above referenced proposed road abandonment. The approved road abandonment shall be limited to twenty-five (25) feet from the road's edge. This is the same portion that was granted for the Vaughn's request which was approved by the Board of County Commissioners on June 9, 1999. The Fire Marshal's Office suggest that the Monroe County Sheriff's Office be contacted to secure the property from trespassers.

If the Fire Marshal's Office can be of any additional assistance in this matter, please contact our office.

Chief Clark O. Martin, Monroe County Fire Rescue

RECEIVED

JAN 14 2005

MONROE COUNTY ATTORNEY





Mayor Pro Tem David Rice, District 4

Mayor Pro Tem David Rice, District 4
Commissioner George Neugent, District 2
Commissioner Charles McCoy, District 3
Commissioner Dixie Spehar, District 1

Office of the County Attorney PO Box 1026 Key West, FL 33041-1026 305/292-3470 - Phone 305/292-3516 - Fax



DATE:

December 13 2004

TO:

Marlene Conaway, Planning Director

Dave Koppel, County Engineer

Clark Martin, Fire Chief

FROM:

Jan Hotalen, Paralegal

County Attorney's Office

RE:

Road Abandonment Petition - Coxon Lane "T" turnaround, Cudjoe Key

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Please review the enclosed documents in connection with the above-described road abandonment and provide me with your comments at your earliest convenience.

As we discussed, please keep a record of all the time spent by you and your staff on this matter and, if you have no further use for this packet, please return it with your report.

Thank you.

Enclosures

RECEIVED

APR 0 4 2005

MONROE COUNTY ATTORNEY

ROAD ABANDONMENT PETITION
NAME Larry S. Ledford and/or John R. Simanek
ADDRESS 1040 COVON LANE
STREET/EASEMENT to be abandoned COXON LANE "T" plat book 5 (Block 9, Lots 8,9,10
KEY Cadjoe Mile Marker 23
DATE 11/ 104 PHONE (305) 745 - 2828 FAX (305) 745 - 2828
E-mall LSLC-itic @ aol. Com
We hereby petition the Honorable Board of County Commissioners to renounce and disclaim any right of the County and the public in and to the above-referenced street, alleyway, road or right-of-way as further depicted and described in the following attachments:
(Exhibit A) Survey (preferably 11" x 17" or 8½" x 11") Description of roadway to be abandoned and survey showing that portion marked with diagonal lines with petitioners' property clearly delineated and outlined, and showing all adjacent properties.
(Exhibit B) Map of Key on which road is located, clearly showing US 1, Mile Marker number and portion of road to be abandoned.
(Exhibit C) Copies of Deed(s) - Petitioners certify that they are the sole owners of Lot(s) 9, 9, 10 Bock 9 and that the abandonment of said road will not take away from other property holders' right of ingress and egress to their property, and that taxes for the year 2004 have been paid on their subject land.
(Exhibit D) Legal description of that portion of roadway which petitioners seek to have abandoned.
(Exhibits E-1, E-2, E-3, E-4) Letters of no objection from utility companies - including, but not limited to, water, electricity, telephone, and cable TV.
(Exhibit F) Letters of no objection from all adjacent property owners and list of names and addresses of all adjacent property owners.
Petitioners seek the abandonment for the following reasons: To Secure property
from vehicles driving on private property and using dead
end road as a "bathroom" and a "Lovers LANE!"

Petitioners agree to be responsible for and pay for all costs of advertising and recording fees incurred relative to this request for the vacation.

Petitioners further agree to grant any easement necessary for the furnishing of utilities, including without limitation, electric power, water, sewer, telephone, gas, cable and other electric communication services to the same extent as is common within this area as to height, width and degree, upon request for such service or by the BOCC through its authorized agents. If easements are so required, copies of the executed documents will be provided to the County before the petition is presented to the BOCC.

Petitioners certify that the road to be abandoned does not end at water or that, if it does, the road is not a dedicated and accepted right-of-way (including by operation of law due to construction or maintenance by County).

WHEREFORE, Petitioners formally request the Honorable Board of County Commissioners to grant this petition.

	Larry S. Ledfor	
[] Is personally known to me. [>] Provided as identification Flo		
Sworn to and subscribed be Typed Notary Name and Number	NOTARY PUBLIC OF NEW JERSEY Commission Expires 2/70/2007 Signature and Sedi	JANICE RAHILLY ROBARY PUBLIC OF NEW JER Commission Expires 2/20/2
	PETITIONER Smane	L_
[] Is personally known to me. [] Provided as identification _w	o are	
Sworn to god subscribed be to the state of NEW JERSEY Typed Notary Name and Number	Notary Signature and Seal	, 2004.

5/5/3 jeh

Prepared By and Return To: Brends S. Johnson Chicago Title of the Fiorida Keys, Inc. 30646 Overseas Highway Big Pine Key, Florida 33043

File No. 410390089

Property Appraiser's Parcel I.D. (folio) Number(s) 00185110-000000

MONROE COUNTY OFFICIAL RECORDS

FILE #1380110 BK#1903 PG#2149

DANNY L KOLHAGE, CLERK

DEED DOC STAND 742.00 06/30/2003 DEP CLK

WARRANTY DEED

THIS WARRANTY DEED dated June 23, 2003, by JEANETTE HUNT hereinafter called the grantor, to LARRY S. LEDFORD and JOHN R. SIMANEK, as joint tenants with the right of survivorship, whose post office address is 1040 Coxon Lane, Cudjoe Key, FL 33042, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, allens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in Monroe County, Florida, viz:

Lot 9, Block 9, CUTTHROAT HARBOR ESTATES, FIRST ADDITION, according to the Plat thereof, recorded in Plat Book 5, Page 60 of the Public Records of Monroe County, Florida.

The Grantor herein covenants that the subject property is vacant and unimproved land, therefore it is not the homestead of the grantor.

Subject to easements, restrictions, reservations and limitations of recorded, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2002

FILE #1380110 BK#1903 PG#2150

WARRANTY DEED (Continued)

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

abare witter.		
Signed, sealed and delivered in the presence of:	January Class	
(Witness Signature)	JEANETTE HUNT	The same and the s
DOROTHY If THOMSON	6009 Maggiore Stret	
Quil M.	(Address)	
(Witness Signature)	Coral Gables, FL 33146	
John M. Thomson	(Address)	
State of Florida County of Dade		
The foregoing instrument was acknowledged before JEANETTE HUNT who is personally known to me-	ore me this 25 day of Vanuary who has produced	, 2003, by as identif
Printed Name: John M. Thomson Notary Public My commission expires:	OFFICIAL NOTARY SEAL JOHN IN THOMSON COMMISSION NUMBER CC910058 MY COMMISSION EXPIRES FEB. 19.2004	

MONROE COUNTY OFFICIAL RECORDS Parcel I.D. No.: 00185100000000336628 AK 1237086
This Instrument Prepared by and Return to:
Cynthia F. Civil
CYNTHIA F. CIVIL, P.A.
5196 Overseas Highway
Marathon, Florida 33050

Name: Michael S. Vaughn Name: Dyne B. Vaughn

(Space Above This Line for Recording Date)

WARRANTY DEED

This Indenture made this 10 day of September, 2001, BETWEEN JOHN R. SIMANEK, a single man, of the County of BERSEN, State of N.J., hereinafter called the grantor, and MICHAEL S. VAUGHN and DYNE B. VAUGHN, husband and wife, whose address 1009 Coxon Lane, Cudjoe Key, of the County of Monroe, State of Florida, 33042, grantee(s).

WITNESSETH, that said Grantor, for and in consideration of the sum of TEN AND 00/100's (\$10.00) Dollars and other good and valuable considerations to said granter in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs and assigns forever the following described land situate, lying and being in MONROE County, Florida, to wit:

The east 25 feet of Lot 8, Block 9, CUTTHROAT HARBOR ESTATES, FIRST ADDITION, according to the Plat thereol, as recorded in Plat Book 5, Page 60, of the Public Records of Monroe County, Florida.

Subject to prior reservations of Oil, Gas and Mineral Reservations of record, and further subject to easements, restrictions and limitations of record, if any, zoning and other ordinances applicable to the premises, and taxes for current and subsequent years.

THIS DEED IS BEING PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantor(s) hereby covenant with said grantees that the grantor(s) is/ are lawfully seized of said land in fee simple; that the grantor(s) has/have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1999.

IN WITNESS WHEREOF, the grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

-	Janual Vande inft Dohn Reformanch Ls
	NANCY I VANDEGETT (200 Center Avenue)
	Printed Signature Apt. 9-H
	Conna & King Ft. Lee, NJ 07024
	Signature
	Anna J. Kins
	Printed Signature
_	STATE OF NEW JERSEY COUNTY OF
	My Commission Expires: 1/30/2003 Octory Public, State of Ken Juney.
	ANNA J. KING
	A Notary Bublis of Alice

ANNA J. KING
A Notary Public of New Jersey
My Commission Expires 1/30/2003



650 United St Key West, FL 33040 Office: (305) 296-9078 Facsimile: (305) 294-4062

March 12, 2004

Larry Ledford and John Simanek 1006 Fifth Av Asbury Park, NJ 07712

Subject:

Requested Road Abandonment:

Being a portion of Coxon Lane, according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, at page 60, of the public records of Monroe County, Florida and described as the last 55' of roadway adjacent to lots 8, 9, and 10, further described on the attached survey.

To Mr. Ledford:

Our engineering department has reviewed the above referenced request. Presently, BellSouth has no existing facilities in the area. BellSouth has no objections to the abandonment of the above referenced Right of Way.

If further assistance is needed, please do not hesitate to call, Earl Beck, at (305) 296-9078.

AT TI

Thank You.

Bernie Macias

District Manager, BellSouth



Comcast Cable 1010 Kennedy Driva, Suite 200 Key Wast, FL 33040 www.comcast.com

August 05,2004

Mr. Larry S. Ledford Mr. John R. Simanek 1006 Fifth Ave. Asbury Park NJ 07712

RE: Road Abandonment

Dear Mr. Ledford and Mr. Simanek

Comcast Cable of Key West has no objections to the proposed abandonment of the portion of Coxon Lane turn around according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, @ page 60, of the public records of Monroe County, Florida between lots 8/9 and lot 10.

If you need any additional information, feel free to call me at 305 809-1237

Sincerely

Comcast Cable of the Keys

George Milne Construction Supervisor



Florida Keys Aqueduct Authority

Post Office Box 1239 1100 Kennedy Drive Key West, Florida 33041-1239 Telephone (305) 296-2454 www.fkaa.com

September 27, 2004

John M. Koenig, Sr. Chairman Key West

Mary L. Rice Vice-Chairman Marethon

Harry E. Cronin Secretary/Treasurer Key Largo

Elena Z. Herrera Rockland Key

Rose Dell Big Pine Key

James C. Reynolds Executive Director

Larry Ledford and John Simanek 1006.Fifth Ave. Asbury Park, NJ 07712

RE:

Abandon a portion of Coxon Ln., that separates Lots 8,9 and 10, Blk. 9, Cutthroat Harbor Est., First Add., Cudjoe Key

Dear Sirs:

The FKAA Board of Directors approved at the September 15, 2004 meeting, the above referenced project.

Pursuant to your request for the easement abandonment of the above-reference property, Staff has researched your request and have no objection to the abandonment. The FKAA has facilities in this section of roadway and the applicant has agreed to relocate the facilities to the new right of way and pay Mr. Vaughn the front footage due to him on this section of water main.

Should you have any questions, please do not hesitate to call this office.

Sincerely,

FLORIDA KEYS AQUEDUCT AUTHORITY

Edgar F. Nicolle, Jr.

Distribution Design Specialist

EFN/cma

cc:

Bob Feldman, General Counsel

Arlyn Higley, Director of Maintenance Dept.

Monroe County Building Department



(305) 295-1000 1001 James Street PO Box 6100 Key West, FL 33041-6100 www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

March 24, 2004

Mr. Larry S. Ledford Mr. John R. Simanek 1006 Fifth Avenue Asbury Park, NJ 07712

RE: Road Abandonment

Dear Mr. Ledford and Mr. Simanek:

Keys Energy Services has no objection to the proposed abandonment of the portion of Coxon Lane turn-around, according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, at page 60, of the public records of Monroe County, Florida, between lots 8/9 and lot 10.

If you have any further questions, please do not hesitate to call me at 295-1055.

Sincerely,

UTILITY BOARD-CITY OF KEY WEST "KEYS ENERGY SERVICES" Carl R. Jansen, General Manager

David D. Price

Vair Olmo

Engineering Services Supervisor

DDP/ba

C:

C. Jansen, General Manager

L. Tejeda, Asst. General Manager

D. Finigan, Director of Engineering

November 22, 2004

Larry Ledford 1040 Coxon Lane Cudjoe Key FL

Re: Road Abandonment at end of Coxon Lane, Cudjoe Key

This is to state that we as the immediate land owners to the proposed abandonment have no objection to the abandonment as per the attached copy of the plot plan. We are the owners of 25 feet of Lot 8, Block 9 and Lots 5, 6, & 7, Block 9.

Feel free to call with any questions at (305) 923-7742.

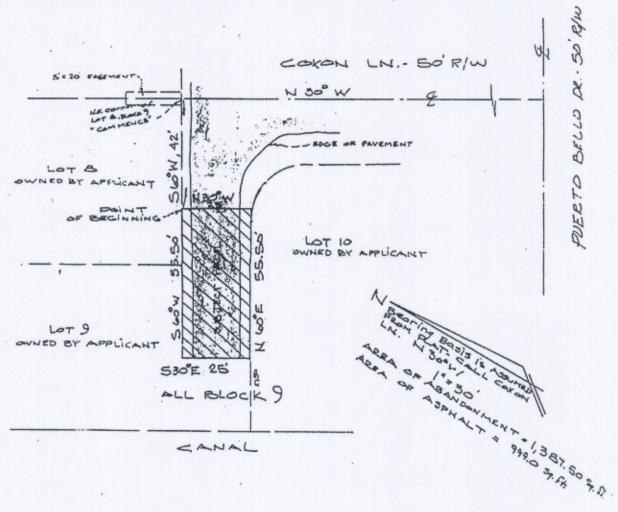
Sincerely,

Michael & Dyne Vaughn

Enclosure

DESCRIPTION:

Requested Road Abandonment:
Being a portion of Coxon Lane Turn-around, according
to the the plat of Cutthroat Harbor Estates First Addition,
Plat Book 5, at page 60, of the public records of Monroe
County, Florida, and described as follows; COMMENCE at the
Northeast corner of Lot 8, Block 9, and run 860°W, 42 feet
and the POINT OF BEGINNING of the hereinafter described
parcel of road right-of-way of aforementioned Coxon Lane;
thence continue S60°W, 55.50 feet; thence S30°E, 25 feet;
thence N60°E, 55.50 feet; thence N30°W, 25 feet back to the
Point of Beginning. contains 1,387.50 sq.ft.



I HERBBY CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE REQUIREMENTS

Harold-L. Overbeck, PLS No. 2912

DATED: 2/24/04

305-872-4763 fax 305-872-7146

HAROLD L. OVERBECK 1020 Buttonwood Dr. Big Pine Key, Fl. 33043

g. 150-

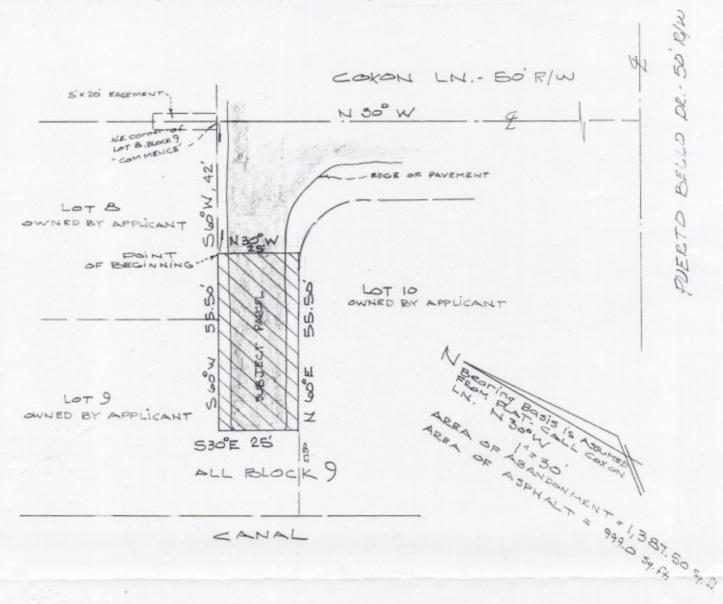
PREPARED FOR: Larry Ledford and John Simanek

DATE: 02/26/04

DESCRIPTION:

Requested Road Abandonment:

Being a portion of Coxon Lane Turn-around, according to the the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, at page 60, of the public records of Monroe County, Florida, and described as follows; COMMENCE at the Northeast corner of Lot 8, Block 9, and run S60°W, 42 feet and the POINT OF BEGINNING of the hereinafter described parcel of road right-of-way of aforementioned Coxon Lane; thence continue S60°W, 55.50 feet; thence S30°E, 25 feet; thence N60°E, 55.50 feet; thence N30°W, 25 feet back to the Point of Beginning. contains 1,387.50 sq.ft.



I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE REQUIREMENTS OF FLORIDA STATUTES.

Hum All

DATED:

Harold L. Overbeck, PLS No. 2912

HAROLD L. OVERBECK 1620 Buttonwood Dr. Big Pine Key, Fl. 33043

305-872-4763 fax 305-872-7146

Larry Ledford and John Simanek Abandoned
Between Lots 8/9 and Lot 10 SEE SHEET BASQUE LANE PICARD LANE LOKON CAN LANE 603763

11 36 77

Réturn to: (enclose self addressed stamped envelope) TROPICAL LAND TITLE COMPANY P.O. DRAWER 809 Address: BIG PINE KEY, FL 33043

This instrument Prepared by: Sue M. Sapp
TROPICAL LAND TITLE COMPANY
Address P.O. DRAWER 809
BIG PINE KEY, FL 33043

Grantee Name and S.S. #:_

262-58-2945

Larry S. Ledford

Grantse Name and S.S. #:

11

SPACE ABOVE THIS LINE FOR PROCESSING DATA -

- SPACE ABOVE THIS LINE FOR PROCESSING DATA .

L.S.

his Indenture.

Setween **RICHARD FRANKLIN LORD, also known as RICHARD FRANKLIN LORD, SR., Made this a single man*

Whose Mailing Address Is: 609 Bentley Drive, Fairbanks, AK 99701-3414

in the State of Alaska of the County of party of the first part, and **LARRY S. LEDFORD, a single man**

Whose Mailing Address Is: 2150 Center Avenue, Ft. Lee, NJ 07024

of the County of party of the second part, in the State of New Jersey

TEN AND NO/100 And Other Good and Valuable Consideration --- Dollars, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part his heirs and assigns forever, the following described land, situate lying and being in the County of Monroe Florida, to wit:

Lot 10. Block 9. CUTTHROAT HARFOR ESTATES, FIRST ADDITION, as reco CUTTHROAT HAREOR ESTATES, FIRST ADDITION, as recorded in Plat

SUBJECT TO: Taxes for the year 1995 and subsequent years.

SUBJECT TO: Limitations, conditions, easements, restrictions of record, if any.

THE PROPERTY CONVEYED HEREIN IS VACANT AND UNIMPROVED LAND AND IS NEITHER THE DOMICILE NOR THE HOMESTEAD OF THE GRANTOR HEREIN NOR HIS SPOUSE NOR ANY OF HIS IMMEDIATE HOUSEHOLD AS DEFINED BY THE LAWS OF THE STATE OF FLORIDA.

Property Appraiser's Parcel Identification Number: 00185120-000000-336628 And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Thereof, the said party of the first part has hereunto set his hand and seal the day and year first above written. Signed, Sealed and Beitweren in Gur Bresence: RICHARD FRANKLIN Printed Name: RICHARD FRANKLIN LORD, SR. ediales L.S. Printed Name: Ulrike Carlin L.S.

ND TITLE CO.,
RMAN, PRESIDENT
WER BOS
WAL BLDG., SUITE "
LORIDA 33043 KATHLEEN P MO P. O. DR G PINE PROFESSIN BIG PINE NEV. BIG

State of Florida Alaska County of ,

The foreg	oing instrument was acknowledged before me this 13th day o
July	, 19 95 , by Richard Franklir Lord, also known as Richard Franklin Lord, Sr.
who is personally kn	own to me or who has produced mulitary ID
as identification and	who did (did not) take an oath.
	Digne Elarker
	Signeture
	Printed Name E. Jewkes
	2 stary 01-16-97
	Title
	Seria! #, If Any

RICHARD FRANKLIN LORD, also known as RICHARD FRANKLIN LORD, SR., a single man

LARRY S. LEDFORD, a single man

Date July 1995

ABSTRACT OF DESCRIPTION

TLITHLANZ REGISTERED U. S. PATENT OFFICE TWENTLE, IMPROPER, PUBLISHERS, BUTLANCO, VY OS 2702 FORM 1104 (Sarutory Form) REV 11 A93 MONROE COUNTY OFFICIAL RECORDS

FILE #1323017 8K:1815 PG:1879

DEED DOC STAMPS 0.70
DEP CLK

Grantee S.S.#

[Space Above This Line for Recording Data]___

QUIT CLAIM DEED

This indenture made this 10th day of September, 2002

SETWEEN LANK S. LEOFORD, a single man, of 2180 CENTER AVENUE, FT. LEE, N.J., 07024-5808 party of the first part and LARRY S. LEOFORD a single man and JOHN R. SIMANEK, a single man, as Joint Tenants With Rights of Survivorship, of 2180 CENTER AVENUE, FT. LEE, N.J. 07024-5806, , party of the second part,

WITNESSETH. That the said pany of the first part, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitolaimed, and by these presents does remise, release and quitolaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, place or parcel of land, situate thing and being in the County of MONROE, State of Florida, to-wit:

Lots 10 and 11, Block 9, Cutthroat Herbor Estates, First Addition, as recorded in Plat Book 5, Page 60 of the Public Records of Monroe County, Florids. RE# 00185130

THIS INSTRUMENT PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION AND IS BASED ON THE INFORMATION PROVIDED BY THE PARTIES INVOLVED.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

IN WITNESS WHEREOF, the said party of the first part has beraunto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN MY PRESENCE:

John R. Simanek

STATE OF NEW JERSEY

The foregoing instrument was acknowledged before me on this 10 Th day of September ,2002, by LARRY S. LEDFORD,

who is personally known to me or who has produced Driver's Licence as identification:

NOTARY PUBLIC COMMISSION EXPIRATION:

Prepared by: Mayer & Erskine, P.A. 31211 Avanue A Big Phe Key, FL 33043

MONROE COUNTY OFFICIAL RECORDS



SECTION EXPIRES AUG. 1 SAN





BOARD OF COUNTY COMMISSIONERS
Mayor Murray Nelson, District 5
Mayor Pro Tem David Rice, District 4
Commissioner George Neugent, District 2
Commissioner Charles McCoy, District 3
Commissioner Dixie Spehar, District 1

Office of the County Attorney PO Box 1026 Key West, FL 33041-1026 305/292-3470 - Phone 305/292-3516 - Fax



DATE:

December 13 2004

TO:

Marlene Conaway, Planning Director

Dave Koppel, County Engineer

Clark Martin, Fire Chief

FROM:

Jan Hotalen, Paralegal

County Attorney's Office

RE:

Road Abandonment Petition - Coxon Lane "T" turnaround, Cudjoe Key

Please review the enclosed documents in connection with the above-described road abandonment and provide me with your comments at your earliest convenience.

As we discussed, please keep a record of all the time spent by you and your staff on this matter and, if you have no further use for this packet, please return it with your report.

Thank you.

Enclosures

Office of the County Attorney
PO Box 1026
Key West, FL 33041-1026
305/292-3470 - Phone
305/292-3516 - Fax



DATE:

December 3, 2004

TO:

Ginger Campbell

Finance Department

FROM:

Jan Hotalen

Paralegal

RE:

Road Abandonment Petition - Coxon Lane, Cudjoe Key

\$

Enclosed please find check #235 in the amount of \$500 from Larry Ledford, petitioner in the above-captioned matter.

Please deposit check in the appropriate account.

If you have any questions, please call.

Enclosure

-	
LARRY S. LEDFORD JOHN R. SIMANEK	235
1006 FIFTH AVE. ASBURY PARK, NJ 07712-5015	Date /2/1/04 63-27/631 FL 1052
Pay to the Mounal County	\$ 500 00
Time hundred and	NO/100 — Dollars 1 Secrety Nations on Indiana
Bank of America	
ACH R/T 063100277	000110
For Road Abandonnent Application	Leny S. Lelford "
1:0631002771: 003513868	1701 8535

ROAD ABANDONMENT PETITION
NAME Larry S. Ledford and John R. Simanek
ADDRESS 1040 COXON LANE
STREET/EASEMENT to be abandoned COXON LANE "T" plat book 5 (Block 9, Lots 8,9,10)
KEY Cadjoe Mile Marker 23
DATE 11/ 104 PHONE (305) 745 - 2828 FAX (305) 745 - 2828
E-mail LSLC-itic @ aol. Com
We hereby petition the Honorable Board of County Commissioners to renounce and disclaim any right of the County and the public in and to the above-referenced street, alleyway, road or right-of-way as further depicted and described in the following attachments:
(Exhibit A) Survey (preferably 11" x 17" or 8½" x 11") Description of roadway to be abandoned and survey showing that portion marked with diagonal lines with petitioners' property clearly delineated and outlined, and showing all adjacent properties.
(Exhibit B) Map of Key on which road is located, clearly showing US 1, Mile Marker number and portion of road to be abandoned.
(Exhibit C) Copies of Deed(s) - Petitioners certify that they are the sole owners of Lot(s) 8, 9, 10 Book 9 and that the abandonment of said road will not take away from other property holders' right of ingress and egress to their property, and that taxes for the year 2004 have been paid on their subject land.
(Exhibit D) Legal description of that portion of roadway which petitioners seek to have abandoned.
(Exhibits E-1, E-2, E-3, E-4) Letters of no objection from utility companies - including, but not limited to, water, electricity, telephone, and cable TV.
(Exhibit F) Letters of no objection from all adjacent property owners and list of names and addresses of all adjacent property owners.
Petitioners seek the abandonment for the following reasons: To Secure property
from vehicles driving on private property and using dead
end road as a "bothroom" and a "Lovers LANE."

5/5

JAN-23-04 18:01 FROM: MONROE COUNTY ATTY OFFICE ID: 305252516

Petitioners agree to be responsible for and pay for all costs of advertising and recording fees incurred relative to this request for the vacation.

Petitioners further agree to grant any easement necessary for the furnishing of utilities, including without limitation, electric power, water, sewer, telephone, gas, cable and other electric communication services to the same extent as is common within this area as to height, width and degree, upon request for such service or by the BOCC through its authorized agents. If easements are so required, copies of the executed documents will be provided to the County before the petition is presented to the BOCC.

Petitioners certify that the road to be abandoned does not end at water or that, if it does, the road is not a dedicated and accepted right-of-way (including by operation of law due to construction or maintenance by County).

WHEREFORE, Petitioners formally request the Honorable Board of County Commissioners to grant this petition.

	Larry S. Ledford	2
[] Is personally known to me. [] Provided as identification Flo	7 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
Sworn to and subscribed be Typed Notary Name and Number	MOTARY PUBLIC OF NEW JEMOTARY PUBLIC OF NEW JERSEY Commission Expires 2 Notary Signature and Seat	JANICE RAHILLY MEMORY PUBLIC OF NEW JERSEY Commission Expires 2/20/2007
[] Is personally known to me.	PETITIONER Smane	Les E
Sworn to and subscribed be	fore me this 16+4 day of No Vember	, 2004.
Typed Notary Name and Number	Notary Signature and Seal	

5/5/3 jeh

ROAD ABANDONMENT PETITION
NAME Larry S. Ledford and John R. Simanek
ADDRESS INVA COLON LANE
STREET/EASEMENT to be abandoned COXON LANE "T" plat book 5 (Block 9, Lots 8,9,1
KEY Cadjoe Mile Marker 23
KEY <u>Cadjor</u> DATE // O4 PHONE (305) 745 - 2828 FAX (305) 745 - 2828 E-mail LSLC-itic @ aol. Com
E-mall LSLCritic @ aol. Com
We hereby petition the Honorable Board of County Commissioners to renounce and disclain any right of the County and the public in and to the above-referenced street, alleyway, ros or right-of-way as further depicted and described in the following attachments:
(Exhibit A) Survey (preferably 11" x 17" or 8½" x 11") Description of roadway to be abandoned an survey showing that portion marked with diagonal lines with petitioners' property clear delineated and outlined, and showing all adjacent properties.
(Exhibit B) Map of Key on which road is located, clearly showing US 1, Mile Marker number an portion of road to be abandoned.
(Exhibit C) Copies of Deed(s) - Petitioners certify that they are the sole owners of Lot(s 9, 9, 10 Book 9 and that the abandonment of said road will not take away from other property holders' right of ingress and egress to their property, and that taxes for the year 2004 have been paid on their subject land.
(Exhibit D) Legal description of that portion of roadway which petitioners seek to have abandoned.
(Exhibits E-1, E-2, E-3, E-4) Letters of no objection from utility companies - including, but not limited to, water electricity, telephone, and cable TV.
(Exhibit F) Letters of no objection from all adjacent property owners and list of names an addresses of all adjacent property owners.
Petitioners seek the abandonment for the following reasons:
from valiable disis a private property and using deal

end road as a "bothroom" and a "Lovers LANE."

PAGE

Petitioners agree to be responsible for and pay for all costs of advertising and recording fees incurred relative to this request for the vacation.

Petitioners further agree to grant any easement necessary for the furnishing of utilities, including without limitation, electric power, water, sewer, telephone, gas, cable and other electric communication services to the same extent as is common within this area as to height, width and degree, upon request for such service or by the BOCC through its authorized agents. If easements are so required, copies of the executed documents will be provided to the County before the petition is presented to the BOCC.

Petitioners certify that the road to be abandoned does not end at water or that, if it does, the road is not a dedicated and accepted right-of-way (including by operation of law due to construction or maintenance by County).

WHEREFORE, Petitioners formally request the Honorable Board of County Commissioners to grant this petition.

[] Is personally known to me. [>] Provided as identification Flo	Lany S. Ledford PETITIONER RICHA DRIVERS Lican	
Sworn to and subscribed be Typed Notary Name and Number	MOTARY PUBLIC OF NEW JEMOTARY PUBLIC OF NEW JERSEY Commission Expires 2/2012 Signature and Septimental Septiments (1988)	JANICE RAHILLY BERAST PUBLIC OF NEW JET Commission Expires 2/20/2
[] Is personally known to me.	PETITIONER Smane	L
Swom paned subscribed be	fore me this 16+4 day of No Vember	1 2004.
Typed Notary Name and Number	Notary Signature and Seal	

6/5/3 jeh

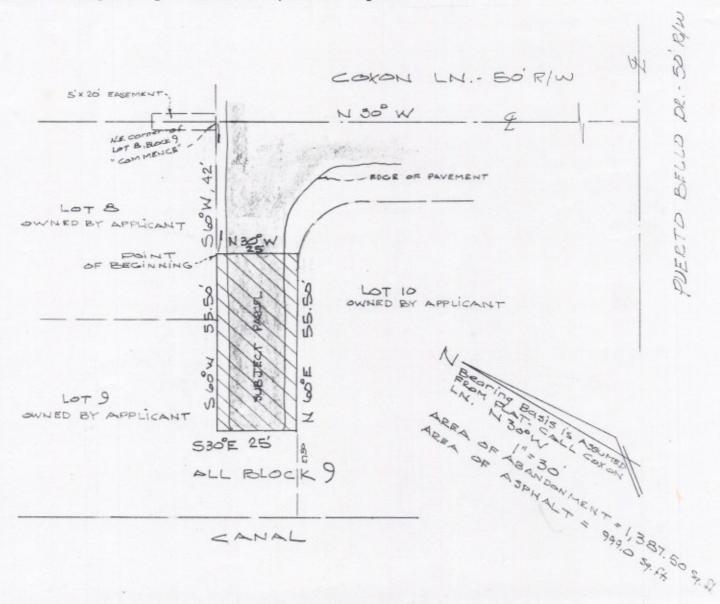
PREPARED FOR: Larry Ledford and John Simanek

DATE: 02/26/04

DESCRIPTION:

Requested Road Abandonment:

Being a portion of Coxon Lane Turn-around, according to the the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, at page 60, of the public records of Monroe County, Florida, and described as follows; COMMENCE at the Northeast corner of Lot 8, Block 9, and run S60°W, 42 feet and the POINT OF BEGINNING of the hereinafter described parcel of road right-of-way of aforementioned Coxon Lane; thence continue S60°W, 55.50 feet; thence S30°E, 25 feet; thence N60°E, 55.50 feet; thence N30°W, 25 feet back to the Point of Beginning. contains 1,387.50 sq.ft.



I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE REQUIREMENTS OF FLORIDE STATUTES.

Hum H

DATED:

Haroid L. Overbeck, PLS No. 2912

HAROLD L. OVERBECK 1620 Buttonwood Dr. Big Pine Key, Fl. 33043

305-872-4763 fax 305-872-7146

Larry Ledford and John Simanek Abandoned
Batween Lots 8/9 and Lot 10 NO. SEE SHEET BASQUE LANE PICARD 1 14 5 LANE LOKUN CAN Lare 603763

NEGON

SKETCH

5-6

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KATHLEEN P MOORNAL, PRESIDENT
P. O. DRAWER BOS
S PINE PROFESSIONAL, BLDG., SUITE "B"
BIG PINE KEY, FLORIDA 33043

Return	to: (enclose seif addressed stamped en	velope)
Name	TROPICAL LAND TITLE (P.O. DRAWER 809	COMPANY
1 delege	BIG PINE KEY, FL 3304	43

This instrument Prepared by: Sue M. Sapp
TROPICAL LAND TITLE COMPANY
Address: P.O. DRAWER 809
BIG PINE KEY, FL 33043

Grantee Name and S.S. #: 262-58-2945

Larry S. Ledford

Grantee Name and S.S. #:

- SPACE ABOVE THIS LINE FOR PROCESSING DATA ----

SPACE ABOVE THIS LINE FOR PROCESSING DATA

L.S.

This Indenture,

Wherever used herein, the term "party" shall include the heirs, personal representatives, successor and/or assigns of the respective parties hereto; the use of the singular number shall include the plura and the plural the singular; the use of any gender shall include all genders; and, if used, the terminate shall include all the notes herein described if more than one.

Made this

Between **RICHARD FRANKLIN LORD, also known as RICHARD FRANKLIN LORD, SR., a single man**

Whose Mailing Address Is: 609 Bentley Drive, Fairbanks, AK 99701-3414

of the County of in the State of Alaska
party of the first part, and **LARRY S. LEDFORD, a single man**

Whose Mailing Address Is: 2150 Center Avenue, Ft. Lee, NJ 07024

of the County of party of the second part,

in the State of New Jersey

Lot 10, Block 9, CUTTHROAT HARBOR ESTATES, FIRST ADDITION, as recorded in Plat Book 5 at Page 60 of the Public Records of Monroe County, Florida.

SUBJECT TO: Taxes for the year 1995 and subsequent years.

Property Appraiser's Parcel Identification Number: 00185120-000000-336628

SUBJECT TO: Limitations, conditions, easements, restrictions of record, if any.

THE PROPERTY CONVEYED HEREIN IS VACANT AND UNIMPROVED LAND AND IS NEITHER THE DOMICILE NOR THE HOMESTEAD OF THE GRANTOR HEREIN NOR HIS SPOUSE NOR ANY OF HIS IMMEDIATE HOUSEHOLD AS DEFINED BY THE LAWS OF THE STATE OF FLORIDA.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN Bitness Thereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Belivered in Our Fresence:

TWO WIRNESSES REQUIRED:

1. Contact Total 1.S.

RICHARD FRANKLIN LORD, also known as RICHARD FRANKLIN LORD, SR.

2. United Name: Ulrike Carlini

L.S.

Printed Name: Ulrike Carlini

State of Floring Alaska
County of

July , /9 95	, by Richard Franklir Lord, also known as Richard Franklin Lord, Er.
	Franklin Lord, Er.
ho is personally known to me or wh	no has produced military ID
	•
identification and who did (did no	t) take an oath.
	7
	Diane Elaker
	Signeture Elarkor
	Signeture Elarker
	Signeture E. Jewkes
	Signeture Signeture Fli Anc E. Jewkes Printed Name
	Signeture Signeture Fi Ane E. Jewkes

Serial #, if Any

larranty Beed

TUTTER ANY REGISTERED IS 5. PAYENT OFFICE RETULE CAMPINE, VY CS 702

IAKRY S. LKDFOKD, a single man

RICHARD FRANKLIN LORD, also known as RICHARD FRANKLIN LORD, SR., a single man

Date JULY 1995
ABSTRACT OF DESCRIPTION



MONBOR COUNTY OFFICIAL RECORDS FILE :1323017 BK 1 8 1 5 PG#1879 RCD Sep 13 2002 12:35PM DANNY L KOLHAGE, CLERK DEED DOC STAMES 0.70

DEP CLK

Grantee S.S.#

09/17/2802

[Space Above This Line for Recording Data]

QUIT CLAIM DEED

This Indenture made this 10th day of September, 2002 the first part and LARRY S. LEDFORD, a single-man and JOHN-R. SIMANEK, a single man, as Joint Tenants With Rights of Survivorship , of 2180 CENTER AVENUE, FT. LEE, N.J. 07024-5806, , party of the second part.

WITNESSETH. That the sale party of the first part, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitolaimed, and by these presents does remise, release and quitolaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, place or parcel of land, situate lying and being in the County of MONROE, State of Florida, to-wit:

Lots 10 and 11, Block 9, Cutthroat Harbor Estates, First Addition, as recorded in Plat Book 5, Page 60 of the Public Records of Monroe County, Florida. RE# 00185130

THIS INSTRUMENT PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION AND IS BASED ON THE INFORMATION PROVIDED BY THE PARTIES INVOLVED.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and belief of the said party of the second part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written

CELIVERED IN MY PRESENCE:

STATE OF NEW JERGEY COUNTY OF BELLEY

The foregoing instrument was acknowledged bufore me on this 10 Th clay of September ,2002, by LARRY S. LEOFORD, who is paraonally known to me or who has produced Driver's Licence as identification.

NOTARY PUBLIC COMMISSION EXPIRATION:

Prepared by: Mayer & Brakine, P.A. 31211 Avenue A Big Pine Key, FL 33043

MONBOE COUNTY OFFICIAL RECORDS



HIVE A BARRITO OF WEN TEUR Prepared By and Return To: Brends S. Johnson Chicago Title of the Florida Keys, Inc. 30646 Overseas Highway Big Pine Key, Florida 33043

File No. 410390089

V

Property Appraiser's Parcel I.D. (folio) Number(s) 00185110-000000

MONROE COUNTY OFFICIAL RECORDS

FILE #1380110 BK#1903 PG#2149

> RCD Jun 30 2003 03:50PM DANNY L KOLHAGE, CLERK

DEED DOC STAMPS 742.00 06/30/2003 DEP CLK

WARRANTY DEED

THIS WARRANTY DEED dated June 23, 2003, by JEANETTE HUNT hereinafter called the grantor, to LARRY S. LEDFORD and JOHN R. SIMANEK, as joint tenants with the right of survivorship, whose post office address is 1040 Coxon Lane, Cudjoe Key, FL 33042, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, allens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in Monroe County, Florida, viz:

Lot 9, Block 9, CUTTHROAT HARBOR ESTATES, FIRST ADDITION, according to the Plat thereof, recorded in Plat Book 5, Page 60 of the Public Records of Monroe County, Florida.

The Grantor herein covenants that the subject property is vacant and unimproved land, therefore it is not the homestead of the grantor.

Subject to easements, restrictions, reservations and limitations of recorded, if any,

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2002

FILE #1380110 BK#1903 PG#2150

WARRANTY DEED (Continued)

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of: (Witness Signature) JEANETTE HUNT DOROTHY 6009 Maggiore Stret (Address) Coral Gables, FL 33146 (Witness Signature) (Address) John M. Thomson State of Florida County of Dade The foregoing instrument was acknowledged before me this 23 day of Vanue JEANETTE HUNT who is personally known to me or who has produced Printed Name: Notary Public COMMISSION NUMBER CC910058 COMMISSION EXPIRES My commission expires:

> MONROE COUNTY OFFICIAL RECORDS

FEB. 13,2004

Parcel I.D. No.: 00185100000000336628 AK 1237086
This Instrument Prepared by and Return to:
Cynthia F. Civil
CYNTHIA F. CIVIL, P.A.
5196 Overseas Highway
Marathon, Florida 33050

Name: Michael S. Vaughn Name: Dyne B. Vaughn

(Space Above This Line for Recording Date)____

WARRANTY DEED

This Indenture made this 10 day of September, 2001, BETWEEN JOHN R. SIMANEK, a single man, of the County of BERSEN, State of N.J., hereinafter called the grantor, and MICHAEL S. VAUGHN and DYNE B. VAUGHN, husband and wife, whose address 1009 Coxon Lane, Cudjoe Key, of the County of Monroe, State of Florida, 33042, grantee(s).

WITNESSETH, that said Grantor, for and in consideration of the sum of TEN AND 00/100's (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs and assigns forever the following described land situate, lying and being in MONROE County, Florida, to wit:

The east 25 feet of Lot 8, Block 9, CUTTHROAT HARBOR ESTATES, FIRST ADDITION, according to the Plat thereof, as recorded in Plat Book 5, Page 60, of the Public Records of Monroe County, Florida.

Subject to prior reservations of Oil, Gas and Mineral Reservations of record, and further subject to easements, restrictions and limitations of record, if any, zoning and other ordinances applicable to the premises, and taxes for current and subsequent years.

THIS DEED IS BEING PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantor(s) hereby covenan: with said grantees that the grantor(s) is/ are lawfully seized of said land in fee simple; that the grantor(s) has/have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1999.

IN WITNESS WHEREOF, the grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

(Signature John R. SIMANER JOHN R. SIMANER JOHN R. SIMANER 2150 Center Avenue	el L.S.
	NANCY I VANDEGRITT (2150 Center Avenue	
	Printed Signature Apt. 9-H	
	Gran J. Kerry Ft. Lee, NJ 07024	
	Signature	
	Anna J. Kins	
	Printed Signature	
1	STATE OF NEW JERSEY COUNTY OF	by JOHN R.
	identification.	
	WITNESS my hand and official seal in the County and State last aforesaid.	
	My Commission Expires: 1/30/2003 Our J. Kary Notary Public, State of Rew June	ey.
		3-
	*****	3-

ANNA J. KING A Notary Public of New Jersey My Commission Expires 1/30/2003



650 United St Key West, FL 33040

Office: (305) 296-9078 Facsimile: (305) 294-4062

March 12, 2004

Larry Ledford and John Simanek 1006 Fifth Av Asbury Park, NJ 07712

Subject:

Requested Road Abandonment:

Being a portion of Coxon Lane, according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, at page 60, of the public records of Monroe County, Florida and described as the last 55' of roadway adjacent to lots 8, 9, and 10, further described on the attached survey.

To Mr. Ledford:

Our engineering department has reviewed the above referenced request. Presently, BellSouth has no existing facilities in the area. BellSouth has no objections to the abandonment of the above referenced Right of Way.

If further assistance is needed, please do not hesitate to call, Earl Beck, at (305) 296-9078.

Thank You,

Bernie Macias District Manager, BellSouth



Comcast Cable 1010 Kennady Drive, Suite 200 Key West, FL 33040 www.comcast.com

August 05,2004

Mr. Larry S. Ledford Mr. John R. Simanek 1006 Fifth Ave. Asbury Park NJ 07712

RE: Road Abandonment

Dear Mr. Ledford and Mr. Simanek

Comcast Cable of Key West has no objections to the proposed abandonment of the portion of Coxon Lane turn around according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, @ page 60, of the public records of Monroe County, Florida between lots 8/9 and lot 10.

If you need any additional information, feel free to call me at 305 809-1237

Sincerely

Comcast Cable of the Keys

George Milne Construction Supervisor



Florida Keys **Aqueduct Authority**

Post Office Box 1239 1100 Kennedy Drive Key West, Florida 33041-1239 Telephone (305) 296-2454 www.fkaa.com

September 27, 2004

John M. Koenig, Sr. Chairman Key West

Mary L. Rice Vice-Chairman Marathon

Harry E. Cronin Secretary/Treasuror Key Largo

Elena Z. Herrera Rockland Key

Rose Dell Big Pine Key

James C. Reynolds Executive Director

Larry Ledford and John Simanek 1006 Fifth Ave. Asbury Park, NJ 07712

Abandon a portion of Coxon Ln., that separates Lots 8,9 and 10, Blk. 9, Cutthroat Harbor Est., First Add., Cudjoe Key

Dear Sirs:

The FKAA Board of Directors approved at the September 15, 2004 meeting, the above referenced project.

Pursuant to your request for the easement abandonment of the above-reference property, Staff has researched your request and have no objection to the abandonment. The FKAA has facilities in this section of roadway and the applicant has agreed to relocate the facilities to the new right of way and pay Mr. Vaughn the front footage due to him on this section of water main.

Should you have any questions, please do not hesitate to call this office.

Sincerely,

FLORIDA KEYS AQUEDUCT AUTHORITY

Edgar F. Nicolle, Jr.

Distribution Design Specialist

EFN/cma

cc:

Bob Feldman, General Counsel

Arlyn Higley, Director of Maintenance Dept.

Monroe County Building Department



(305) 295-1000 1001 James Street PO Box 6100 Key West, FL 33041-6100 www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

March 24, 2004

Mr. Larry S. Ledford Mr. John R. Simanek 1006 Fifth Avenue Asbury Park, NJ 07712

RE: Road Abandonment

Dear Mr. Ledford and Mr. Simanek:

Keys Energy Services has no objection to the proposed abandonment of the portion of Coxon Lane turn-around, according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, at page 60, of the public records of Monroe County, Florida, between lots 8/9 and lot 10.

If you have any further questions, please do not hesitate to call me at 295-1055.

Sincerely,

UTILITY BOARD-CITY OF KEY WEST "KEYS ENERGY SERVICES" Carl R. Jansen, General Manager

David D. Price

Vail Ohus

Engineering Services Supervisor

DDP/ba

C:

C. Jansen, General Manager

L. Tejeda, Asst. General Manager

D. Finigan, Director of Engineering

Utility Board Members

Robert R. Padron, Chairman Dr. Othe P Cox, Vice-Chairman

Leonard H. Knowles, Member Gayle Swofford, Member Lou Hernandez. Member

Essement/Ledford and Simanek

November 22, 2004

Larry Ledford 1040 Coxon Lane Cudjoe Key FL

Re: Road Abandonment at end of Coxon Lane, Cudjoe Key

This is to state that we as the immediate land owners to the proposed abandonment have no objection to the abandonment as per the attached copy of the plot plan. We are the owners of 25 feet of Lot 8, Block 9 and Lots 5, 6, & 7, Block 9.

Feel free to call with any questions at (305) 923-7742.

Sincerely,

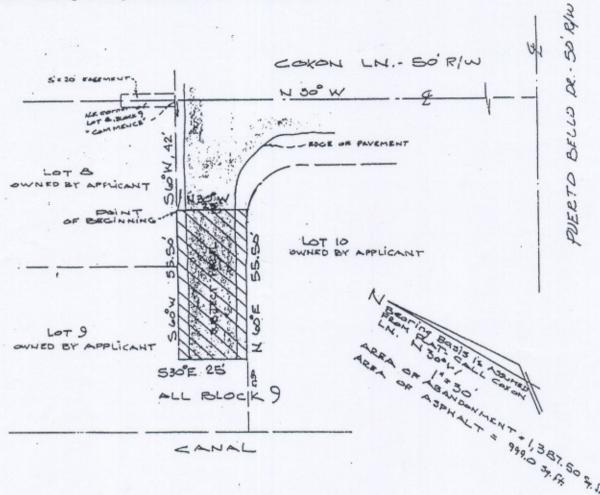
Michael & Dyne Vaughn

Enclosure

A. T. T. J. T. T. T. M. A. J. W.

DESCRIPTION:

Requested Road Abandonment: Being a portion of Coxon Lane Turn-around, according to the the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, at page 60, of the public records of Monroe County, Florida, and described as follows; COMMENCE at the Northeast corner of Lot 8, Block 9, and run S60° W, 42 feet and the POINT OF BEGINNING of the hereinafter described parcel of road right-of-way of aforementioned Coxon Lane; thence continue S60°W, 55.50 feet; thence S30°E, 25 feet; thence N60°E, 55.50 feet; thence N30°W, 25 feet back to the Point of Beginning. contains 1,387.50 sq.ft.



I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE REQUIREMENTS

Overbeck, PLS No. 2912

HAROLD L. OVERBECK 1620 Buttonwood Dr. Big Pine Key, Fl. 33043

305-872-4763 fax 305-872-7146





BOARD OF COUNTY COMMISSIONERS

MAYOR Wilhelmina Harvey, District 1 Mayor Pro Tem Shirley Freeman, District 3 George Neugent, District 2 Nora Williams, District 4 Mary Kay Reich, District 5



County Attorney's Office 502 Whitehead Street Courthouse Annex, 3rd Floor Key West, Florida 33040 (305) 292-3470

March 25, 1999

Dyne Vaughn 1009 Coxon Lane Cudjoe Key, FL 33042

RE: Proposed Road Abandonment.

Dear Ms. Vaughn:

I am enclosing with this letter a copy of a fax which the Fire Marshal sent to me yesterday afternoon after reviewing your road abandonment petition. Please note that he has changed the cross-hatched area of the proposed road abandonment. He called me and said that there would be a problem with the road abandonment if the area to be abandoned was enclosed by a line running from an extension of the west lot line of Lot 5 because there would be insufficient space for emergency vehicle turn-around. Accordingly he is requesting the area to be abandoned be reduced. As I recall from our previous discussions and the materials which you submitted previously, you had originally asked for less than the full amount of the road between Lot 5 and Lot 7 to be abandoned and the increase, due to extending the lot line from Lot 5 was due to our conversations concerning the need for a survey. As long as the legal description can be created by reference to the corners of platted lots, a survey showing a metes and bounds description of the area to be abandoned is not necessary. However, where the area to be abandoned extends beyond the corner points of lots, a metes and bounds description is required.

Since Mr. London is requesting that the abandonment be decreased almost to the eastern edge of Lot 7, it is possible for the proposal to go forward with a legal description being all of that area of the end of Coxon Lane lying between Lot 5 and Lot 6 of Block 9, Cutthroat Harbor Estates First Addition as recorded in Plat Book 5 at page 60 of the Public Records of Monroe County. If however you wish to take advantage of the extra footage would be allowed by this drawing you would need to get a legal description by metes and bounds from a surveyor. I would suggest that you speak directly with Joe London if you have further questions about the degree to which the road abandonment needs to be decreased in order to accommodate emergency vehicle turn-arounds.

If you have any other questions, please feel free to call me.

Sincerely

Suzanne A. Hutton

Assistant County Attorney

SAH/ak

enclosure

cc: Joe London, Fire Marshall
Dave Koppel, Engineering Department
Tim McGarry, Planning Department

Marchy Corticy That This Survey Meets The Ministe Require of Chapter 21-MM-6, Florida Administrative Coda, Pursuant T section 477,027, Florida Statutes.

d Surveyor No. 2912

o-8-93 H.L.OVERBECK, INC. HAL PANDER DRIVE P.O. BOX 1346 SIG PIME NEY, Pl. 33043-1346 (305)872-4319 1:30

Section 33 they Gob a mango ZB. 88399

("DAMY) VLLA.

PAGE 2

RESOLUTION NO. 248 -1999

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, RENOUNCING AND DISCLAIMING ANY RIGHT OF THE COUNTY AND THE PUBLIC IN AND TO A PORTION OF COXON LANE, CUTTHROAT HARBOR ESTATES, FIRST ADDITION, CUDJOE KEY, FLORIDA

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alleyways, roads or highways, and

WHEREAS, due notice has been published and a public hearing has been held in accordance with Chapter 336, Florida Statutes, and

WHEREAS, at said public hearing the Board considered the argument of all parties present wishing to speak on the matter, and all premises considered concerning the renouncing and disclaiming of any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, and

WHEREAS, the Board has determined that vacation of the said road is for the general public welfare, and conforms to the requirement of Florida Statutes Secs. 336.09 and 336.10, now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that the Board hereby renounces and disclaims any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

BEING A PORTION OF THE COXON LANE, TURN-A-ROUND, ACCORDING TO THE PLAT OF CUTTHROAT HARBOR ESTATES, FIRST ADDITION, PLAT BOOK 5, PAGE 60, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 7, BLOCK 9, AND RUN NORTH 60° EAST, 42.00 FEET FOR THE POINT OF BEGINNING OF THE HERE-IN-AFTER DESCRIBED PORTION OF COXON LANE; THENCE CONTINUE NORTH 60° EAST, 55.50 FEET; THENCE SOUTH 30° EAST, 25.00 FEET; THENCE SOUTH 60° WEST, 55.50 FEET; THENCE NORTH 30° WEST, 25.00 FEET BACK TO THE POINT OF BEGINNING. CONTAINS 1,387.50 SQUARE FEET.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board on the <u>9th</u> day of June, 1999.

Mayor Harvey
Commissioner Freeman
Commissioner Neugent
Commissioner Reich
Commissioner Williams

__no __yes __yes __yes

yes

TTEST: DANNY L. KOLHAGE, CLERK

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

Mayor/Chairman

jroadresadopt

APPROVED AS TO FORM AND LEGAL SUFFICIENCY.

SUZANNE A. HUTTON

DATE 5/17/99

CERTIFIED TO: Michael S. and Dyne B. Vaughn Colonial Mortgage Company First American Title Insurance Company. Independent Abstract and Title Company. A BOUNDARY SURVEY OF: Cutthroat Harbor Estates First Addition of as recorded in Plat Book 5 , at Lots 6&7 Lots 6&7 , Block 9 , Cutthroat Harbor Estates First According to the Plat thereof as recorded in Plat Book of the Public Records of Monroe County, Florida. at Page 60 4 2 845/5. SACARMA M.H.W. LINE ESTABLISHED BY BIOLOGIST ---S.I.R. @ Bio. Live - o ED CUT Line ! 6' WOOD FENCE (CLEAR) BANK - SHOWING BLOCK OF BALLONY TA Plot LOT 8 OURTHUR 40 8 ELEVATED and 97. SLAK WALLS + (P15+ # 2914 # 2914 F.I.R. FI.R. WARD FENCE 0 35 (18'ASP Road to be 27.50 Z 1 abandoned LOT 5 TOXO Owned DR .- 50 PUERTO BELLO SURVEYORS NOTES:

S.I.R.= set iron rod 1/2" with cap No. LB 2863

F.I.R.= found iron rod size as shown

F.I.P.= found iron pipe size as shown

S.N.D.= set nail and disk No. LB 2963

F.N.D.= found nail and disk No. as shown

& = centerline of right of way

r/w = right of way

& = property line

Elevations are shown thus 0.00, AND ARE N.G.V.D.

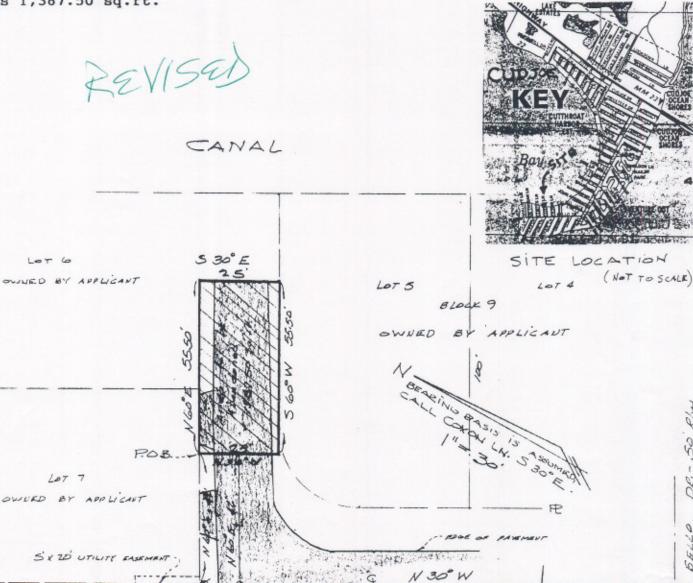
All lot angles are 90°unless shown otherwise.

M.H.W. (Mean High Water) is approximate and does not purport to establish local datum or tidal boundary property lines.

SURVEY IS NOT VALID UNLESS SEALED WITH A RAISED EMBOSSED SEAL. SURVEYORS NOTES: VE This Lot appears to be in Flood Zone with a base flood elevation of 13 F.I.R.M. Number 125129-15136 (1.4-91) feet, There are no above ground encroachments that are not shown. AND ARE N.G.V.D-29 Benchmark: NA . . EMBOSSED SEAL. ERTIFICATION: Hereby Certify That This Survey Meets The Minimum Requirements f Chapter 21-HH-6, Florida Administrative Code, Pursuant To ection 472.027, Florida Statutes. Harold L. Overbeck Florida Registered Land Surveyor No. 2912 Drawn By: ter Section 33 H.L.OVERBECK, INC. HAL 0-13-93 Township 66 s Range 28 c RANGER DRIVE Revision: 1=30 P.O.Box 1346 BIG PINE KEY, F1. 33043-1346 (305)872-4319 88399 Job Number:

DESCRIPTION OF ROAD ABANDONMENT:

Being a portion of the Coxon Lane Turn-A-Round, According to the Plat of Cutthroat Harbor Estates, First Addition, Plat Book 5, Page 60, of the Public Records of Monroe County, Florida and Described by Metes and Bounds as follows: Commence at the Southwest corner of Lot 7, Block 9, and run North 60° East, 42.00 feet for the Point of Beginning of the here-in-after Described portion of Coxon Lane; Thence Continue North 60° East, 55.50 feet; Thence South 30° East, 25.00 feet; Thence South 60° West. 55.50 feet; Thence North 30° West, 25.00 feet back to the Point of Beginning. Contains 1,387.50 sq.ft.



Surveyors Notes:

S.M.P.=Set 3/4" Metal Pipe w/corne. Lg 1002:

S.I.R.=Set Iron Rod 5" with cap No. LB 2863

F.I.R.=Found Iron Rod size as shown

F.I.P.=Found Iron Pipe size as shown

S.N.D.=Set Nail and disk No. LD 2863

F.N.D.=Found Nail and Disk No. as shown

F.N.W.=Found Nail and Washer

L =Centerline of Right of Way

P.C. =Point of Curve

P.I. =Point of Intersection

r/w =Right of Way

P. =Property Line

Elevations are shown thus 0.00, and are N.G.V.D.-29

All lot angles are 90" unless shown otherwise.

M.H.W. (Mean High Water) is approximate and does not purport to establish local datum or tidal boundary property lines.

P.O.B.=Point of Beginning

(M) =Measured

(R) =Record

D =Deed This Lot appears to be in Flood Zone_ with a base flood elevation of \ \ F.I.R.M. Number_____ feet, There are no above ground oncreachments

SURVEY IS NOT VALID UNLESS SEALED WITH A RAISED EMBOSSED SEAL.

LDT 8

BLOCK 9

SPECIFIC PURPOSE SURVEY , FOR ROAD ABAU DONIMENT

CERTIFICATION:

I Mereby Certify That This Survey Neets The Minimum Requirements Of Chapter 61617-6, Florida Administrative Code, Pursuant To Section 472.027, Florida Statutes.

(D) =Deed TOTEL - CO Juin C

347.50 (2) COXON LN. -50' R/W

=Record

Harold L. Overbeck Florida Registered Land Surveyor No.

Section 33 Township 66 s Range 28 Drawn By: OVERBECK, Date: L. INC. 4-9-99 Ha/ P.O. Box 431346 Big Pine Key, F1., 33043-1346 (305)872-4319 Fax:(305)872-0970 Revision: 99106 Scale: /" 30



